

Catholic Sources and the Declaration of Independence

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THE general historical background, which projected the American Declaration of Independence, is well known. There has been much discussion, however, concerning the parentage, direct and indirect, of the political principles that make the American Declaration what it is, "that most wonderful work ever struck off at a given moment by the hand and purpose of man."

Two facts concerning this question, this paper hopes to restate and summarize rather than prove. They are:

First, the certainty and fact, beyond reasonable denial, that for many centuries prior to the American Declaration, the principles enunciated in it are identically the political thought and theory predominant and traditional among representative Catholic churchmen, and *not* the political thought and inspiration of the politico-religious revolt of the sixteenth century, nor of the later social-contract or compact theories.

In the second place, this paper would re-assert the existence of sufficient reasons to believe that the framers of the Declaration of Independence drew inspiration, encouragement, and political ideals from Catholic sources, particularly from the political principles of the Blessed Cardinal Bellarmine.

The knowledge and spread of these two outstanding facts deserve promotion, partly, in order to give credit where credit in justice belongs; principally, however, in order to dispel that erroneous notion, which haunts many American minds, that approximately one-fifth of the American population, if loyal to its religious affiliation, cannot be loyally and thoroughly American. So long as this erroneous idea prevails, the highest ideals of Americanism, of national unity and solidarity in thought, feeling and action,

can never be attained, and the proud claim, that this is the "land of the noble free," is, at least in part, but an empty boast. It is in the spirit and interest of a larger and more idealistic Americanism, that this paper is offered.

"If the American Declaration is 'an expression of the American mind,' it is, to say the least, something remarkable," says Alfred O'Rahilly, "that it should be such an accurate transcript of the Catholic mind." Elsewhere he states that a laborious investigation on his part revealed that from the thirteenth to the nineteenth century some 139 Catholic philosophers and theologians uphold the democratic principle that government is based on the consent of the governed. (Only seven of doubtful orthodoxy reject the principle.)

STRIKING PARALLELS

It will suffice for our purpose to consult, in detail, but two Catholic churchmen who stand out as leading lights for all time. The one is representative of medieval learning and thought, the other stood on the threshold of the medieval and modern world. They are St. Thomas Aquinas of the thirteenth century and the Blessed Cardinal Robert Bellarmine of the sixteenth century (1542-1621). The following comparisons, clause for clause, of the American Declaration of Independence and of excerpts from the political principles of these noted ecclesiastics, evidence striking similarity and identity of political principle.

EQUALITY OF MAN

Declaration of Independence: "All men are created equal; they are endowed by their Creator with certain inalienable rights."

Bellarmino: "All men are equal, not in wisdom or grace, but in the essence and nature of mankind" ("De Laicis," c. 7). "There is no reason why among equals one should rule rather than another" (*ibid.*). "Let rulers remember that they preside over men who are of the same nature as they themselves" ("De Officiis Princ." c. 22). "Political right is immediately from God and necessarily inherent in the nature of man" ("De Laicis," c. 6, note 1).

St. Thomas: "Nature made all men equal in liberty,

though not in their natural perfections" (II Sent., d. xlv, q. 1, a. 3, ad 1).

THE FUNCTION OF GOVERNMENT

Declaration of Independence: "To secure these rights governments are instituted among men."

Bellarmino: "It is impossible for men to live together without someone to care for the common good. Men must be governed by someone lest they be willing to perish" ("De Laicis," c. 6).

St. Thomas: "To ordain anything for the common good belongs either to the whole people, or to someone who is the vicegerent of the whole people" (Summa, Ia IIae, q. 90, a. 3).

THE SOURCE OF POWER

Declaration of Independence: "Governments are instituted among men, deriving their just powers from the consent of the governed."

Bellarmino: "It depends upon the consent of the multitude to constitute over itself a king, consul, or other magistrate. This power is, indeed, from God, but vested in a particular ruler by the counsel and election of men" ("De Laicis," c. 6, notes 4 and 5). "The people themselves immediately and directly hold the political power" ("De Clericis," c. 7).

St. Thomas: "Therefore the making of a law belongs either to the whole people or to a public personage who has care of the whole people" (Summa, Ia IIae, q. 90, a. 3). "The ruler has power and eminence from the subjects, and, in the event of his despising them, he sometimes loses both his power and position" ("De Erudit. Princ." Bk. I, c. 6).

THE RIGHT TO CHANGE THE GOVERNMENT

Declaration of Independence: "Whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new government . . . Prudence, indeed, will dictate that governments long established should not be changed for light and transient reasons."

Bellarmino: "For legitimate reasons the people can change the government to an aristocracy or a democracy or vice versa" ("De Laicis," c. 6). "The people never transfers its powers to a king so completely but that it reserves to itself the right of receiving back this power" ("Recognitio de Laicis," c. 6).

St. Thomas: "If any society of people have a right of choosing a king, then the king so established can be deposed by them without injustice, or his power can be curbed, when by tyranny he abuses his regal power" ("De Rege et Regno," Bk. I, c. 6).

DEMOCRACY NOT MODERN THOUGHT

Democracy then is not a discovery of modern political thought. Its sources are to be sought in ancient and medieval theories of government. Christianity injected something into the governments of nations that worked for democracy, that emphasized the natural equality and liberty of men. We can think of real Christianity only as democratic, never as aristocratic or autocratic. The Middle Ages were democratic and the Middle Ages were Catholic. Western civilized Europe was Catholic for a round thousand years. The doctrine of St. Thomas, as just quoted, gives eloquent testimony of the democratic political thought representative of that age.

Reputable historians freely attest the democracy of political theory and practice in the Middle Ages. Otto Goerke states: "An ancient and generally entertained opinion regarded the will of the people as the source of temporal power; political authority by Divine grant and absolute power was wholly foreign to the Middle Ages." ("Political Theories of the Middle Ages," pp. 38-39). "Medieval doctrine gave to the monarch a representative character" (*ibid.* p. 61). Dr. A. J. Carlyle asserts, "The emperor derived his authority, ultimately, no doubt, from God, but immediately from the nation, and this fact [he adds], requires no serious demonstration" ("Hist. Med. Pol. Theory in the West," Vol. I, p. 292, and Vol. III, p. 153). Carlton J. H. Hayes writes, "Constitutional limitation was a medieval tradition" ("Pol. and Soc. Hist. of Mod. Europe," Vol. I, p. 264). Lord Acton says, "Looking back over the space of a thousand years, which we call the Middle Ages,

we find that representative government was almost universal. Absolute power was deemed more intolerable and more criminal than slavery."

"THE DIVINE RIGHT OF KINGS"

The question might be asked: Why was it at all necessary for men in the eighteenth century to make such emphatic declarations of democratic rights? The answer is: Because the two preceding centuries had fairly destroyed the ancient rights of the people and the medieval democratic principle of government by popular consent. In its place there was elaborated at that time the new theory of the "Divine Right of Kings" which enthroned royal autocracy and absolute monarchy. The sixteenth and seventeenth centuries witnessed the era of political revolution and the great struggle between democratic representative government and monarchic absolutism. At the close of the sixteenth century the existence and preponderance of monarchy was well recognized, but the question to be solved was: Should royal monarchical power, as the "Divine Right" theorists expounded it, become absolute; should it so decisively prevail that the other two elements of recognized government, viz., aristocracy and democracy, be completely discarded from the political world; or, should a combination of the three, which had hitherto existed, continue? Unbiased historical research reveals that Catholic political thinkers—men like Suarez (1548-1617), Mariana (1536-1624), Molina (1535-1600), Robert Persons (1546-1610), Toletus (1535-1600), Banez (1528-1604), Gregory of Valencia (1540-1603), (who lived between the years of 1528-1624), stood prominently on the side of democratic principle and the rights of the people. The ancient Church which is often depicted as retarding modern enlightenment, liberty, and democracy, was the very agency which produced the great protagonists of democracy in the period of its greatest danger and saved out of the democracy of the Middle Ages what might be termed the seed-thought for the resowing and growth of democratic principle and practice among the nations of modern times.

The most prominent and powerful defender in the late sixteenth and early seventeenth centuries, of the traditional and medieval democratic principle of popular sovereignty and right, was the illustrious and learned Jesuit Cardinal,

the Blessed Robert Bellarmine. "Monarchy will be defended for its own sake," says Figgis, "when Bellarmine and Suarez have elaborated their theory of popular sovereignty" ("Divine Right of Kings," p. 92).

DEMOCRACY NOT A "CHILD OF THE REFORMATION"

Modern democracy is often asserted to be the child of the Reformation. Nothing is farther from the truth. Robert Filmer, private theologian of James I of England, in his theory of Divine right, proclaimed, "The king can do no wrong. The most sacred order of kings is of Divine right." John Neville Figgis, who seems little inclined to give Catholicism undue credit, makes the following assertions. "Luther based royal authority upon Divine right with practically no reservation" ("Gerson to Grotius," p. 61). "That to the Reformation was in some sort due the prevalence of the notion of the Divine Right of Kings is generally admitted" ("Divine Right of Kings," p. 15). "The Reformation had left upon the statute book an emphatic assertion of unfettered sovereignty vested in the king" (*ibid.* p. 91). "Luther denied any limitation of political power either by Pope or people, nor can it be said that he showed any sympathy for representative institutions; he upheld the inalienable and Divine authority of kings in order to hew down the Upas tree of Rome." "There had been elaborated at this time a theory of unlimited jurisdiction of the crown and of non-resistance upon any pretense" ("Cambridge Modern History," Vol. III, p. 739). "Wycliffe would not allow that the king be subject to positive law" ("Divine Right of Kings," p. 69). Lord Acton wrote: "Lutheran writers constantly condemn the democratic literature that arose in the second age of the Reformation." . . . "Calvin judged that the people were unfit to govern themselves, and declared the popular assembly an abuse" ("History of Freedom," p. 42).

A closer study of the Declaration of Independence discloses its dissimilarity with the social-contract or compact theories as explained, with slight variations, by Rousseau, Hobbes, Locke, Puffendorf, Althusius, Grotius, Hooker, Kant, or Fichte. The American Declaration, like the political doctrine of Cardinal Bellarmine, declared political power as coming, in the first instance, from God, but as

vested in a particular ruler by the consent of the multitude or the people as a political body. The social-contract or compact theories sought the source of political power in an assumed social contract or compact by which individuals contributed or yielded their individual rights to create a public right. Contracts of individuals can create individual rights only, not public or political rights. According to the American Declaration and Cardinal Bellarmine, government implies powers which never belonged to the individual and which, consequently, he could never have conferred upon society. The individual surrenders no authority. Sovereignty receives nothing from him. Government maintains its full dignity, it is of Divine origin, but vested in one or several individuals by popular consent.

The names of Montesquieu, Rousseau, and James Berg are often mentioned as possibly having influenced the spirit and contents of our American Declaration. The "Spirit of Laws" by Montesquieu, though read in America, did not present that theory of government which was sought by the Fathers of our Country. Rousseau's writings were less widely known than Montesquieu's. George Mason, not knowing French, in all probability never read the "Contrat social," nor had Rousseau's writings obtained currency in Virginia in 1776. The book of James Berg appeared in 1775, rather too late to have rendered service in May of 1776, even if it had discussed such general principles as are laid down in these two American Declarations.

DID JEFFERSON KNOW OF BELLARMINE?

The second part of this paper would reassert the existence of sufficient reasons to believe that the framers of the Declaration of Independence drew inspiration and political ideals of democracy from the political doctrines of Cardinal Bellarmine, whose writings were well known and discussed on both sides of the Atlantic.

Prof. David S. Schaff, now lecturer of American church history in Union Theological Seminary, New York, does not only question the probability that the framers of our American Declaration might have derived some of their ideas and fundamentals of popular sovereignty from Catholic sources, and from the political writings of Cardinal Bellarmine in particular, but he even goes so far as to misstate completely the Cardinal's political utterances. The *New York Times*

in its issue of December 28, 1926, summarizing the contents of Professor Schaff's address at the twentieth annual conference of the American Society of Church History, quotes him as "assailing the theory which associates the work of the Jesuit Cardinal Bellarmine with Jefferson and through him with the Declaration of Independence." "The refutation of this legend," Professor Schaff is quoted as saying, "lay first in the fact that, as far as we know, Jefferson never had access to any book of Bellarmine." The writer of this paper sent to the Editor of the *New York Times* the following letter which received no publication, however, as far as could be learned. The letter in substance was the following:

With the hope of contributing a bit of information on this subject, permit the undersigned to state that the Congressional Library still possesses a copy of "Patriarcha," a book which once stood on the library shelf of Thomas Jefferson. "Patriarcha" was written by Robert Filmer, the private theologian of James I of England, in defense of the Divine Right of Kings and principally in refutation of the Jesuit Cardinal Bellarmine's political principles of popular sovereignty. If Jefferson ever opened this book, which he possessed, he read the following on the title page:

PATRIARCHA, OR THE NATURAL POWER OF KINGS

By the learned Sir Robert Filmer

London, 1680

The Contents

Chapter I

1. The tenet of the Natural liberty of the people. New, plausible and dangerous.
2. The question stated out of Bellarmine and some contradictions of his noted.
3. Bellarmine's argument answered out of Bellarmine himself.

Chapter II

*It is unnatural for the people to govern or
choose governours*

1. Aristotle examined about the freedom of the people.
2. Suarez disputes against the regality of Adam.
3. Suarez contradicting Bellarmine.

Chapter III

*Positive laws do not infringe the fatherly power
of kings, etc. . . .*

Four times Bellarmine's name is mentioned in bold print on this contents page of "Patriarcha." The first chapter of "Patriarcha" is again prefaced with its table of contents, and Bellarmine's name appears on it three times. Then, if Jefferson read the first lines of the chapter he read this:

"Since the time that school divinity began to flourish there hath been a common opinion maintained, as well by divines, as by diverse other learned men which affirms 'Mankind is naturally endowed and born with Freedom, and at liberty to choose what form of Government it please: And that the Power which any one Man hath over others, was at first bestowed according to the discretion of the Multitude.'

"This tenet was first hatched in the schools and hath been fostered by all succeeding papists for good divinity."

If Jefferson ever read as many as four pages of this book, he read on the fourth page the following:

To make evident the Grounds of this Question, about the Natural Liberty of Mankind, I will lay down some passages of CARDINAL BELLARMINE, that may best unfold the State of this controversy. Secular or Civil Power (saith he) is instituted by man; It is in the people, unless they bestow it on a Prince. This Power is immediately in the whole Multitude, as in the subject of it; for this Power is in Divine Law, but the Divine Law hath given this power to no particular man. If the Positive Law be taken away, there is left no Reason why amongst a Multitude (who are Equal) one rather than another should bear Rule over the Rest. It depends upon the Consent of the Multitude to ordain over themselves a King, Counsel or other Magistrates; and if there be a lawful cause the multitude may change the Kingdom into an Aristocracy or Democracy. Thus far BELLARMINE; in which passages are comprised the strength of all that I have read or heard produced for the Natural Liberty of the Subject.

Would not Jefferson, who was seeking a formulation of "the natural liberties of the subject," be attracted to read and re-read this quotation from Bellarmine which "comprised the strength of all that had ever been produced for the natural liberty of the subject"? And does not the American Declaration reflect strikingly this very passage of Bellarmine quoted by Filmer and lying open before the eyes of Jefferson?

REFERRED TO BY SIDNEY

Jefferson also had in his library a handsome folio of 497 pages of the discourses of Algernon Sidney. Sidney was very popular and much read in the immediate years preceding 1776. If Jefferson read the opening sentence of Sidney, he read again about Filmer's denunciation of the democratic theories of Bellarmine and the Schoolmen. The opening sentence of Sidney's discourse ran:

Having lately seen a book entitled "Patriarcha," written by Sir Robert Filmer, concerning the universal and undistinguished right of all kings, I thought a time of leisure might well be employed in examining his doctrine and the questions arising from it; which seem so far to concern all mankind.

Commenting on the quotation in "Patriarcha" from Cardinal Bellarmine, Sidney remarked of Filmer:

He absurdly imputes to the School Divines that which was taken up by them as a common notion, written in the heart of every man, denied by none, but such as were degenerated into beasts. The school men could not lay more approved foundations than that man is naturally free; that he cannot justly be deprived of that liberty without cause; that only those governments can be called just which are established by the consent of nations.

Another treatise on government as widely read but not so popular was John Locke's "Two Treatises on Government." Like Sidney, Locke wrote in reply to Filmer. Locke himself states on the title page that in his two treatises "the false principles and foundation of Sir Robert Filmer and his followers are detected and overthrown." Giving his own views Locke wrote, "Men being, as has been said, by nature all free, equal, and independent, no one can be put out of this estate, and subjected to the political power of another, without his own consent." Lord Acton in his "History of Freedom" (p. 82), remarks, "The greater part of the political ideas of Milton, Locke, and Rousseau, may be found in the ponderous Latin of Jesuits."

JEFFERSON READ WORKS QUOTING BELLARMINE

Whether Jefferson ever read any of the original works of Cardinal Bellarmine would be difficult to assert or to deny. In the Library of Princeton University there was,

however, a copy of Cardinal Bellarmine's works in the days of Jefferson. James Madison, a member of the committee which drafted the Virginia Declaration of Rights, was a graduate of Princeton in 1771, and certainly had access to Bellarmine's works. This copy, David Schaff states, was destroyed by fire in 1802. It is not so certain, then, that Jefferson and Madison had no possible access to the original writings of Bellarmine, and it is quite possible that in their studies of philosophy, law, and government, they may have investigated the original writings of Bellarmine, of whom they read in Filmer's "Patriarcha," in Sidney's "Noble Book," and Locke's "Two Treatises on Government." Bellarmine's "disputations," in the words of William A. Dunning ("Hist. of Pol. Theories," p. 128), "covered systematically all the prominent issues of the time, theological, ecclesiastical, political, and constituted a formidable arsenal of arguments." Thomas Jefferson, James Madison, the framers and builders of our American Constitution, could not have been ignorant of Sidney, Locke, Filmer, and Bellarmine. "Locke and Sidney," says Dr. Figgis (trans. Royal Hist. Soc., XI, 1897, 94), "if they did not take their political faith bodily from Suarez or Bellarmine, managed in a remarkable degree to conceal the difference between the two."

DID PROFESSOR SCHAFF READ BELLARMINE?

Dr. Schaff is further quoted as stating that "the Churchmen's [Bellarmine's] idea of government was quite unlike Jefferson's because the former believed in one chiefly of monarchy" and that "the theory of popular authority and its origin was entirely apart from Cardinal Bellarmine and his writings, it being developed in Geneva and spreading through the Huguenots," etc.

In his "*De Romani Pontificis Ecclesiastica Monarchia*," Bk. I, c. 1, the Cardinal writes, "Monarchy theoretically and in the abstract, monarchy in the hands of God who combines in Himself all the qualifications of an ideal ruler, is indeed a perfect system of government; in the hands of imperfect man, however, it is exposed to many defects and abuses. A government tempered, therefore, by all three basic forms (i. e., monarchy, aristocracy, and democracy), a mixed government, is, on account of the corruption of human nature more useful than simple monarchy." Bellarmine

in his "De Officio Principis," c. 22, points out the dangers and defects of absolute monarchy, and after describing how God refused to grant the Israelites a king (I Kings, viii, 7-19), concludes, "All these incidents clearly indicate that God did not desire his people to have absolute kings as the Gentiles had them, because He foresaw that they would abuse such power." That Bellarmine was not on the side of monarchy should need no proof. John Neville Figgis ("Divine Right of Kings," p. 92) incidentally states, "Monarchy will be defended for its own sake when Bellarmine and Suarez have elaborated their theory of popular sovereignty."

"The theory of popular authority and its origin was entirely apart from Cardinal Bellarmine and his writings," is a statement that could be made only by one who had never read a line of Cardinal Bellarmine's political writings. If there is anything for which the Cardinal is noted in the field of political philosophy, it is for his theory and defense of popular sovereignty.

In view of the arbitrary and despotic rule established by Calvin in Geneva over the consciences and natural liberties of men, it is difficult to associate the origins of civil and religious liberty and of popular sovereignty with Geneva and to regard it as a cradle of democracy. Lord Acton ("History of Freedom," p. 42) wrote, "Calvin judged that the people are unfit to govern themselves and declared the popular assembly an abuse." The principles of democracy antedate by many centuries the Geneva of the sixteenth century. John Neville Figgis in his "Political Thought of the Sixteenth Century" (Cambridge Modern History, Vol. III, p. 761), wrote, "The Huguenot movement (which proceeded from Geneva) was not democratic."

NOT A MERE LEGEND

In the opening paragraph of the full reprint of Professor Schaff's paper entitled "The Bellarmine-Jefferson Legend and the Declaration of Independence," he assumes that the whole claim, which identifies American principles of government with prior political thought and theory of Catholic political thinkers, had its origin in the article of Gaillard Hunt, printed in the *Catholic Historical Review* of October, 1917, and he gratuitously calls it a legend. Mr. Hunt's

argument does not purport to be a conclusive and only argument; it is rather an additional than a first argument, a strong bit of circumstantial evidence corroborative of the fact and contention that Catholic and medieval principles of democratic government have played themselves very strikingly into the American democracy and are actually there embodied.

In this paper Professor Schaff further states, "If we compare the positions laid down by the Cardinal and the American principles of government, it will be found that they are in essential matters disparate." The above comparisons, clause for clause, and the many quotations from Cardinal Bellarmine, sufficiently demonstrate the complete erroneousness of such a statement.

THE POWER OF THE PEOPLE

Professor Schaff again makes the statement, "The Cardinal took the position that the power which rests originally in the people remains in the people only until the people have chosen or accepted a ruler. Once the ruler is established, the power of the people stops. The ruler is absolute, and is not amenable to the people." The very opposite is again true. In several places the Cardinal insists that "a people never so completely transfers its power to a king but that it reserves to itself the right to withdraw it." *Populus nunquam ita transfert potestatem suam in regem quin illam sibi in habitu retineat.* ("Apologia," c. 13). In his "Recognitio De Laicis" he adds, *Ut in certis casibus etiam actu recipere possit.* "So that in certain cases the people can actually receive back this power." In several other passages the Cardinal, as quoted, defends the right of a people, for legitimate reasons, to depose a ruler or to change the entire form of government.

Professor Schaff states that the "general position taken by Bellarmine, that it is for the people to choose their form of government, was not original with the Cardinal." I know of no one who has ever claimed that the theory of popular sovereignty was original with the Cardinal, or even with St. Thomas Aquinas 300 years earlier. The claim made is that he was an ardent advocate and defender of the principle of popular government against the Divine-Right theorists of his time, and that he analyzed, defined, and elucidated most

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clearly and strikingly that ancient and medieval principle of sovereignty by consent of the people, when it was in its greatest danger.

Another statement of Professor Schaff is, "In passing it is to be noted that Bellarmine says nothing whatever about Parliaments." In "*De Conciliis et Ecclesia*," c. 3, Bellarmine says, "When a controversy arises in a republic the princes and magistrates of the realm come together and determine what action should be taken." Again in "*De Romani Pontificis Ecclesiastica Monarchia*," c. 3, we read: "Since one man cannot attend to all matters of state, he must distribute these powers. While it is evident that monarchy contains necessary features of government, yet all love that form of government best in which they can participate. Of the utility of such a government, we need scarcely speak." In the tenth chapter of "*De Laicis*" he states: "Laws are generally the combined judgment and experience of several wise men; the king's command is the judgment of one man and it may be rash. Legislators are less exposed to favoritism or bias. A ruler may be influenced by friends, relatives, bribes, or fear." Bellarmine could not have been ignorant of parliamentary law. Stubbs in his "*Constitutional History of England*," Vol. III, p. 388, states: "The rules and forms of parliamentary procedure had before the close of the Middle Ages begun to acquire that permanency and fixedness of character which in the eyes of later generations had risen to the sanctity of law." (Cardinal Bellarmine was born in 1542 and died in 1621.)

Again he quotes the Cardinal as terming democracy the worst form of government. The Cardinal did make such a statement concerning simple and absolute democracy, which, he says, would lead to mob violence and the worst form of tyranny. Concerning it he quotes Plato as saying, "Who can be happy living under the arbitrary will of the crowd?" The democracy of today is far from being pure and absolute democracy. It embodies much of the monarchic and aristocratic forms of government. The type of government which the Cardinal does advocate is really a mixed government which he calls "the more useful form of government"—an adoption and combination of what is best in each of the three basic forms and a discarding of what is worst. From the monarchic element he would adopt and embody into this mixed form of government enough to in-

sure order, peace, strength, endurance, and efficiency. From the aristocratic type of government he would borrow such features as would supply for many of the natural limitations of a one-man rule. "With the assistance of the best men of the land," he says, "the ruler may procure wise counsel." From the element of democracy he insists stringently upon the fundamental political principle, underlying all governments which can in any way be called democratic, the principle of sovereignty by the consent and election of the people. So much of democracy does he fuse into this "more useful" form of government that his political philosophy presents all the fundamental features of modern democratic government.

SUMMARY

In final summary, then, the American Declaration, which is so admirable and dignified an expression of the American mind, is at the same time an accurate expression of the Catholic mind, medieval and modern. This statement does not wish to infer that the American Declaration is not an expression as well of the non-Catholic American mind.

In the second place the formulator of the American Declaration of Independence, did actually possess such books on theories of government as were universally known and read, especially by political students, which books prominently mentioned the name of a Catholic, Cardinal Bellarmine, and discussed and quoted his and the Catholic Schoolmen's political theories. "Patriarcha" concerns itself principally with the refutation of the Cardinal's political doctrines. If Jefferson never read a line of the Cardinal's original writings, there is every reason to believe that ample opportunity forced itself upon him to read quotations at least, from this very noted Cardinal's political utterances, quotations that were direct, succinct, summarizing, and "comprising," as Filmer wrote, "the strength of all that was ever produced for the natural liberty of the subject."

With this identity of American and Catholic political principle established, and with plausible evidence of most probable contact of the formulator of our American Declaration with prominent Catholic sources of democratic theory, why should it be taken from the Catholic American citizen proudly to claim identity and uniformity of political

thought with that of his fellow-citizen, and why should he not rejoice in the belief that his co-religionist forebears have taken actual part in the laying of that political foundation upon which rests, today, the greatest, happiest and most prosperous nation in the world?

The Church and Slavery

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SLAVERY is a dead issue. Its wound, however, still rankles in the breasts of intellectual colored folk. Among these are many leaders and thinkers with hazy notions concerning the philosophical and historical attitude of the Catholic Church towards slavery. They conceive her as the frightful monster of a "dark age," responsible for all the tyrannical and barbarous institutions which preceded the advent of Protestantism. Their imaginations conjure up Spanish grandees served by crouching Moriscos, prince Bishops seated before groveling minions, or despotic Popes of Rome chaining their prisoners to the galleys or, at the instigation of a Las Casas and Ximenez, commanding the importation of Negroes from Africa to be driven to death in the metal mines of Chile and Peru. According to their vague ideas, it was only after the dawn of the light of the pure Gospel, in the sixteenth century, that forces began to operate which reached their culmination in the humanitarian principles which effected the destruction of slavery. They do not realize that it was after the sixteenth century only that slavery was extended throughout the world as a recognized institution to a degree unknown since the first centuries after the fall of the Roman Empire, and that there is no power or influence on earth to which we are so indebted for the almost total abolition of slavery today as to the Catholic Church.

Beginning with the evils of pagan Roman society, for nigh 2,000 years the Church has struggled and battled with un-Christian abuses the world over, until today no force for good can be compared to her in the telling blows struck

in behalf of suffering humanity. Christ himself showed a special predilection for the outcast and the poor, and with the propagation of Christianity began a leveling process between rich and poor, master and slave, of which the ancient pagan world had been unable even to conceive. From the earliest times the poor had the Gospel preached to them and slaves were taught to be obedient to their masters. Not that the Church thereby encouraged slavery, but because she knew that it was in the practice of all the Christian virtues that the safest and surest influence could be exerted for the eradication of any curse. Results vouched for her wisdom. She counted her children among the inmates of the imperial palaces of the Caesars as well as among the lowliest bondsmen. All met together to worship their common Father who made His sun to shine upon the bond and the free; and master and slave reciprocated in the practice of Christian charity. Frequently Christian masters liberated their slaves even at the sacrifice of much wealth, and often a faithful slave was the means of a master's conversion.

The wisdom of Christ's and His Church's teaching and method was to be seen also in a steadily improved condition of slaves and finally in the gradual but sure disappearance of the evil wherever the influence of Christianity was strong enough to overcome the tradition and the customs of the ages. Thus, prior to the Reformation, a vast change was to be seen in the civilized world with regard to slavery. The notorious number of slaves that existed in Roman times was not only greatly reduced, but the status of the slave was infinitely elevated. The ancient Roman world condemned labor and ostracized the toiler, whether bond or free. Christianity dignified labor. Christ himself had been a carpenter. The Apostles supported themselves with their hands. St. Paul was a tent maker. The Roman law violated the most sacred natural rights of the slave. He was deemed a chattel. Lawful marriage and parenthood were denied him. The law did not protect his honor. Christianity, on the contrary, granted absolute equality to the slave in all the essentials of religion. In her eyes the marriage of a slave was a holy and inviolable Sacrament. She recognized the marital and paternal powers of slave parents. Apostolic constitutions commanded the master to see to it that his slave contracted "a legitimate marriage." The

Church zealously guarded the sacred honor of all her children, bond and free. St. John Chrysostom taught that "he who has immoral relations with the wife of a slave is as culpable as he who has the like relations with the wife of a prince." That this religious equality was practised as well as preached in the early Church may be seen from the fact that some of the first Popes, as Pius in the second century and Callistus in the third, were men who had been slaves. With the dissemination of the common teaching and discipline of Catholicism throughout the world it was a foregone conclusion that slavery was destined to be weakened and even, it may be said, doomed to extinction.

It is often objected, however, that the Church did wrong in not condemning slavery outright in principle. Such a contention rather indicates ignorance of a comprehensive ethical aspect of slavery or a lack of appreciation of the times and conditions with which the Church had to deal. To have condemned all forms of slavery absolutely in the days of Constantine might have caused an upheaval far more disastrous than the evil of slavery. Nor is there any assurance that such a policy would have obliterated slavery. Most likely it would have rendered the condition of slaves more wretched and ruined the Church's growing prestige in dealing with the problem. She chose a saner and more effective course of action. Time has proved the wisdom of her method.

Nor was the Church categorically obliged to condemn slavery unequivocally from the moral standpoint. The modified form of bondage which, as the first step towards emancipation, she strove to substitute for unrestrained abuse, cannot be said to have been morally wrong. As there are justifiable reasons for which a man must forfeit his life, so there may be reasons in the course of justice by which one could lawfully be reduced to a limited degree of slavery. The Church, however, in all its long history has never pretended to defend unmitigated slavery as it existed in the last century, nor has she ever sanctioned what has been popularly called the slave trade. On the contrary, she has ever been most loud in her recommendation, and her voice of protest has frequently resounded throughout the world. In 1462 Pius II declared slavery to be "a great crime." In 1537 Paul III forbade the enslavement of the Indians. Urban VIII did the same in 1639, and Benedict XIV in

1741. Pius VII demanded of the Congress of Vienna the suppression of the slave trade. Gregory XVI condemned the odious traffic in 1839. Pius IX called the work of the slave traders one of "supreme villainy." In 1888 Leo XIII addressed a touching letter to the Bishops of Brazil urging them to root out in their country the last remnants of slavery. The same great Pope in 1890 issued an Encyclical letter against the slave trade and "the accursed pest of servitude," and ordered that an annual collection be taken up in all Catholic churches to assist and further anti-slave work.

In spite of these facts some have attempted to impugn the time-honored attitude of the Catholic Church towards slavery by claiming that Las Casas, one of her Bishops, was responsible for the introduction of Negro slavery into the New World. This is not true. As early as 1505 Negroes were sent to the Antilles to work in the mines. In 1517 Las Casas advocated the use of Negro slaves. He did so, however, only as a measure of relief for the oppressed Indians, whom he considered less fit physically to endure the hardships of the metal mines. If he sponsored slavery, he did so only in behalf of slaves. His intentions were undoubtedly good, though illogical, as he himself afterwards realized. In judging Las Casas we must consider the times in which he lived. Slavery was rampant. Greed caused it to be generally countenanced. Though the methods of Las Casas were faulty, he was the most passionate anti-slavery agitator of his day. He tried to deal with a very difficult problem and devoted his whole life to the preaching of the doctrine of freedom as best he knew how. He was far in advance of the age in which he lived and in all that he did was guided by truly humane motives.

It must be remembered also that Las Casas was not the Catholic Church. What the Church taught and practised with respect to slavery in the first, second, and third centuries, she taught and practised in the sixteenth, seventeenth and eighteenth centuries, and she teaches the same today. Her true attitude must be studied in her uniform, historical dealings with slavery, it must be learned from her great Councils and from her Popes. Throughout the ages she has been the defender of slaves. She has legislated in their behalf; her voice has ever been raised in their defense. She has established Orders of heroic men for the redemption

of captives, notably the Trinitarians and the Order of Mercy. Her missionaries and officially recognized saints are the truest exponents of her teachings. The great St. Peter Claver, the apostle and protector of the Negroes, is an heroic example. Under the leadership of the Popes, the Hierarchy of the Catholic world, for hundreds of years, has been directly instrumental in alleviating the pitiable condition of slaves and in hastening their final emancipation. This great world-wide influence, for centuries quietly but constantly bringing pressure to bear in behalf of freedom, has been the main factor in the ultimate obliteration of slavery in all civilized countries.

In general, too, it is to be noted that the manumission of slaves in Catholic countries has not been so much embittered by an ensuing stigma and odium which have been the heritage of freedom in other lands where Catholicism was not predominant. Unlike the multitudinous Christian sects, aptly called non-Catholic, the universal Church has ever proved her Divine character by steadfastly refusing to admit any distinction of caste in the essentials of religion, nor has she ever allowed the formation of independent racial groups conceded in a loose way only to be within the pale of the mother Church. She has ever taught and practised a universal charity. She has ever maintained but one Shepherd and one Fold for all men, bond and free, white and black.